

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KELLEY TROY COOLEY,
Plaintiff,

v.

ERIE CO. SHERIFF ROBERT MERSKI, et al,
Defendants.

C.A. No. 07-208 ERIE

MEMORANDUM ORDER

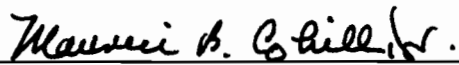
Plaintiff's complaint was received by the Clerk of Court on August 9, 2007, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on January 15, 2009, recommended that the motion for summary judgment filed on behalf of Defendants DiVecchio and Erie County (Doc. #58) be granted. The parties were allowed ten (10) days from the date of service to file objections. Objections were filed by the Plaintiff on January 27, 2009. After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 19th day of March, 2009;

IT IS HEREBY ORDERED that the Motion for Summary Judgment filed by Defendants DiVecchio and Erie County (Document #58) is GRANTED.

The report and recommendation of Magistrate Judge Baxter, dated January 14, 2009, is adopted as the opinion of the court.



MAURICE B. COHILL, JR.
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____